(Spl. - H.C.A.S. C.D., 78-e)

FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF BOMBAY AT GOA

PANAJI – GOA

APPELLATE SIDE

CRIMINAL WRIT PETITION NO. 55 OF 2004

Office Notes, Office Memoranda of Quorum appearances, Court's orders, or directions and Registrar's orders.	Court's or Judge's Orders.

Mr. Aires Rodrigues, Advocate for the Petitioner.

Mr. S. N. Sardessai, Public Prosecutor for the State.

CORAM : N. A. BRITTO, J.

DATE : 16TH SEPTEMBER, 2004.

P.C.:-

Heard Mr. Aires Rodrigues, learned Counsel of the Petitioner and Mr. S. N. Sardessai, learned Public Prosecutor on behalf of the State.

This Petition has been filed, invoking the jurisdiction of this Court under Articles 226 and 227 of the Constitution of India r/w Section 482 of the Code of Criminal Procedure, 1973.

The Petition discloses that upon a complaint dated 18th August,

2004, of one Miss Nikita Frois, in respect of an incident which took place at 22.45 hours on 24th December, 2003, a Crime vide Cr.No.95/04 under Section 354 IPC and Section 8(2) of Goa Children Act, 2003, has been registered against Respondent No.3.

The Petitioner in this Petition, inter alia, prays that the Police be directed to expeditiously conclude the investigations and to actively consider and arrest Respondent No.3 and to charge-sheet Respondent No.3 as early as possible, if the results of the investigation are positive.

The Petitioner claims to be a cousin of the father of the said Miss Nikita Frois. The Petition has not been filed, by the said Miss Frois or for that matter at the behest of a guardian or a mother, assuming that her father is presently on board the ship. Not even, a month has lapsed from the date of filing

of the said complaint on 18th August, 2004, and the Petitioner is before the Court urging this Court that the Investiugating Officer be directed to conclude the investigations expeditiously. In any event, the reply filed by the Police Inspector, C.I.D., Crime Branch, Panaji, shows that the investigations of the case are being conducted in a fair and proper manner and that the investigations will be completed and the charge-sheet will be filed shortly.

I am satisfied with what has been stated in the said reply filed on behalf of the Police Inspector and I do not consider that this is a fit case to issue further directions to the Police Inspector in respect of the investigations which presently are in progress.

The Petition does not appear to have been filed by a person pro bono publico. It appears that the Petitioner is in pursue of either publcity/or has oblique motives. It is time, as stated by

the Hon'ble Supreme Court in case reported in O 4 AIR SCW 1494 to stop the influx of such petition.

In view of the above, the Petition is hereby dismissed.

N. A. BRITTO, J.

RD.